

No. 11(112)-80-8(Lab/13006).—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Endee Woollen and Silk Mills Private Limited, 14/4, Mathura Road, Faridabad :—

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 456 of 1980

between

SHRI JOGINDER YADAV, WORKMAN AND THE MANAGEMENT OF M/S ENDEE WOOLLEN AND SILK MILLS PRIVATE LIMITED, 14/4, MATHURA ROAD, FARIDABAD

Present.—

None for the workman.

Shri J. S. Saroha for the management.

AWARD

This reference No. 456 of 1980 has been referred to this court by the Hon'ble Governor of Haryana—vide his order No. ID/FD/168-80/50220, dated 19th August, 1980 under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Joginder Yadav workman and the management of M/s Endee Wollen and Silk Mills Private Limited, 14/4, Mathura Road, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Joginder Yadav was justified and in order ? If not, to what relief is he entitled ?”

After receiving this reference, notices were issued to the parties for 27th October, 1980. On that day, the management was present but none was present on behalf of the workman inspite of the service of the summons and it was ordered by me that the *ex parte* proceedings be held against the workman and the case was fixed for the *ex parte* evidence of the management for 3rd November, 1980. On 3rd November, 1980, the management produced one witness as MW-1. He stated that the management had never terminated his service but the rather said workman is now working with the respondent Company. He also stated that there is now no dispute between the parties. The management filed a copy of claim statement which is Exhibit M-1. This fact is also admitted by the workman in his claim statement. I, thus relying upon the un-rebutted *ex parte* evidence of the management, am left with no choice except to believe the version of the management. Over and above this my findings get support from the absention of the workman in the proceedings in this court of this reference. I feel that the workman had settled his dispute with the respondent management and the workman is already working in the service of the respondent company. I, therefore, give my award accordingly. There is no dispute between the parties on the issues so referred to this court for adjudication. The workman is not entitled to any relief. I thus answer the reference while returning the award in there terms. No order as to costs.

Dated 3rd November, 1980

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,

Labour Court, Haryana, Faridabad.

Endorsement No. 2147, dated the 21st November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

ISHWAR PRASAD CHAUDHRY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-8Lab/13007.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Skytone Electricals (India), 43, Industrial Area, Faridabad :—

IN THE COURT OF SHRI ISHWAR PRASAD CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 31 of 1980

between

SHRI DES RAJ, WORKMAN AND THE MANAGEMENT OF M/S SKYTONE ELECTRICALS (INDIA), 43, INDUSTRIAL AREA, FARIDABAD

Present.—

Workman in person.

Shri A. S. Chadha for the management.

AWARD

This reference No. 31 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/115-79/2050, dated 15th January, 1980 under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Des Raj, workman and the management of M/s Skytone Electricals (India), 43, Industrial Area, Faridabad. The terms of the reference was :—

“Whether the termination of services of Shri Des Raj was justified and in order? If not, to what relief is he entitled?”

After receiving this reference, notices were issued to the parties. Both the parties appeared. On 6th November, 1980, the last date of hearing the case was fixed for the evidence of the management, when the workman made a statement on oath in this court that he had settled his all claims and dispute with the management. He further stated that he had also foregone the right of his re-instatement or re-employment. He also stated that there is now no dispute with the respondent Company. This statement was duly agreed to by the representative of the management.

I thus relying on the statement of both the parties hold that the demand raised by the workman against the management leading to this reference had been duly satisfied. There is now no dispute remains to be adjudicated between the parties. The workman is not entitled to any relief. I thus answer the reference while returning the award in these terms. No order as to costs.

Dated 6th November, 1980

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,
Labour Court, Haryana, Faridabad.

Endorsement No. 2148, dated the 21st November, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's times.

ISHWAR PRASAD CHAUDHRY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-8Lab/13041.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act, No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Sudhir Engineering Industries, Rohtak :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK

Reference No. 112 of 80

between

SHRI SURESH CHANDER, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR
ENGINEERING INDUSTRIES, ROHTAK

Present.—None for the workman.

Shri M.M. Kaushal for the management.

AWARD

This reference No. 112 of 80 has been referred to this court by the Hon'ble Governor,—vide his order No. ID/RTK/42—80/30747, dated 20th June, 1980 under section 10 (i)(c) of the I.D. Act, 1947 for adjudication of dispute existing between Shri Suresh Chander workman and the management of M/s Sudhir Engineering Industries, Rohtak. The terms of the reference was :—

Whether the termination services of Shri Suresh Chander was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. Shri M. M. Kaushal representative of the management appeared for the management but no one appeared for the workman despite the service of notice to him through his authorised representative Shri B. S. Panchal. The proof of service is attached with the file of ref. 105 of 1980. *Ex parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980 *ex parte* evidence of the management was recorded. Shri Randhir Nagpal Partner of the respondent was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 3rd April, 1980 which is Ex. MW.1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the settlement the workman has taken his dues and put his signature on the revenue stamp at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and more so when it is made in *ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to costs.

Dated the 5th November, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 2793, dated the 29th November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under Sub-section 4 of the section 33 C of the I. D. Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11(112)-80-8Lab/13042.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Allied Woollen Industries, Panipat :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 81 of 1980

between

SHRI JASBIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S ALLIED
WOOLLEN INDUSTRIES, PANIPAT

Prerent.—No one for either side.

AWARD

This reference No. 81 of 1980 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/KNL/45-80/17550, dated 16th April, 1980 under section 10(i)(c) of the I.D. Act for adjudication of dispute existing between Shri Jasbir Singh, workman and the management of M/s Allied Woollen Industries, Panipat. The term of the reference was :—

“Whether the termination of services of Shri Jasbir Singh was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices issued were sent to the parties. Shri Jai Pal appeared on behalf of the workman but no one appeared on behalf of the management. The management was issued a fresh notice for 18th September, 1980 but none appeared on this date of hearing. Notices again were sent to the parties for 8th October, 1980. One Shri Kishan Dutt appeared for the management but no one appeared on behalf of the workman. Fresh notice was again issued to the workman under Regd. A.D. for 17th November, 1980. On this date of hearing also no one appeared from either side. On the previous date of hearing the management was represented by Shri Kishan Dutt who filed the letter of resignation and the vouchers for full and final payment of dues. The workman did not turn up in spite of the service of notice to him which indicates the lack of interest in the workman in pursuing his claim which goes to prove the case of the management that the workman has resigned and has also received full and final payment of his dues as I am inclined to draw the adverse inference from the absence of the workman.

I, therefore, made the award that the order of termination is justified and in order and the workman is not entitled to any relief. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated the 20th November, 1980

Endorsement No. 2794, dated 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the I.D. Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana.

No. 11(112)-80-8Lab/13043.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act. No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Allied Woollen Industries, Panipat.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK

Reference No. 83 of 80

between

SHRI RANBIR, WORKMAN AND THE MANAGEMENT OF M/s. ALLIED WOOLLEN
INDUSTRIES, PANIPAT

Present.—No one for either side.

AWARD

This reference No. 83 of 80 has been referred to this court by the Hon'ble Governor,—vide his order No. ID/KNL/46-80/17518, dated 16th April, 1980 under section 10(i)(c) of the I.D. Act for adjudication of dispute existing between Shri Ranbir workman and the management of M/s. Allied Woollen Industries, Panipat. The term of the reference was :—

Whether the termination of service of Shri Ranbir was justified and in order? If not, to what relief, is he entitled?

Shri Jai Pal appeared on behalf of the workman in response to the notice sent to them but no one appeared on behalf of the management. The management was issued a fresh notice for 18th September, 1980 but none appeared on this date of hearing. Notice again were sent to the parties for 8th October, 1980. One Shri Krishan Dutt appeared for the management but no one appeared on behalf of the workman. Fresh notice was again issued to the workman under Regd. A.D. for 17th November, 1980. On this date of hearing also no one appeared from either side. On the previous date of hearing the management was represented by Shri Krishan Dutt who filed the letter of resignation and the vouchers for full and final payment of dues. The workman did not turn up in spite of the service of notice to him which indicate the lack of interest in the workman in pursuing his claim which goes to prove the case of management that the workman has resigned and has also received full and final payment of his dues as I am inclined to draw the adverse inference from the absence of the workman.

I, therefore, make the award that the order of termination is justified and in order and the workman is not entitled to any relief. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated the 20th November, 1980.

Endorsement No. 2795, dated the 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of I.D. Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.